

# BIRCH, STEWART, KOLASCH & BIRCH, LLP

## COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT AND DESIGN APPLICATIONS

ATTORNEY DOCKET NO.

230-110P (PCT)

PLEASE NOTE:  
YOU MUST  
COMPLETE THE  
FOLLOWING:

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:\*

Insert Title

GENE ENCODING ADSEVERIN

Check Box If  
Appropriate -  
For Use Without  
Specification  
Attached

the specification of which is attached hereto unless the following box is checked:

☒ was filed on June 28, 1996 as United States Application Number 08/669,286 or PCT International Application Number PCT/JP94/02227 and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Insert Priority  
Information  
(if appropriate)

			Priority Claimed	
<u>355112/1993</u> (Number)	<u>Japan</u> (Country)	<u>12/28/1993</u> (Month/Day/Year Filed)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<u>160236/1994</u> (Number)	<u>Japan</u> (Country)	<u>7/12/1994</u> (Month/Day/Year Filed)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<u>340692/1994</u> (Number)	<u>Japan</u> (Country)	<u>12/20/1994</u> (Month/Day/Year Filed)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Month/Day/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Month/Day/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

(Application Number)

(Filing Date)

(Application Number)

(Filing Date)

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More Than 12 Months (6 Months for Designs) Prior To The Filing Date of This Application:

Country

Application No.

Date of Filing (Month/Day/Year)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Number)

(Filing Date)

(Status — patented, pending, abandoned)

RECEIVED  
SEP 22 2005  
TECH CENTER 1600/2900



I hereby appoint the following attorneys to prosecute this application and/or an international application based on this application and to transact all business in the Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the attorneys identified below, unless the inventor(s) or assignee provides said attorneys with a written notice to the contrary:

RAYMOND C. STEWART (Reg. No. 21,066)  
 JOSEPH A. KOLASCH (Reg. No. 22,463)  
 JAMES M. SLATTERY (Reg. No. 28,380)  
 CHARLES GORENSTEIN (Reg. No. 29,271)  
 LEONARD R. SVENSSON (Reg. No. 30,330)  
 MARC S. WEINER (Reg. No. 32,181)  
 JOE MCKINNEY MUNCY (Reg. No. 32,334)  
 C. JOSEPH FARACI (Reg. No. 32,350)

TERRELL C. BIRCH (Reg. No. 19,382)  
 ANTHONY L. BIRCH (Reg. No. 26,122)  
 BERNARD L. SWEENEY (Reg. No. 24,448)  
 MICHAEL K. MUTTER (Reg. No. 29,680)  
 GERALD M. MURPHY, JR. (Reg. No. 28,977)  
 TERRY L. CLARK (Reg. No. 32,644)  
 ANDREW D. MEIKLE (Reg. No. 32,868)  
 ANDREW F. REISH (Reg. No. 33,443)

Send Correspondence to: **BIRCH, STEWART, KOLASCH AND BIRCH, LLP**

P.O. Box 747  
 Falls Church, Virginia 22040-0747  
 Telephone: (703) 205-8000  
 Facsimile: (703) 205-8050

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

GIVEN NAME		FAMILY NAME		INVENTOR'S SIGNATURE		DATE*	
Noriko		NAKAMURA		<i>Noriko Nakamura</i>		August 7, 1997	
legal representative of deceased inventor Seiji Nakamura and as guardian of minor children Tomoki Nakamura and Tamaki Nakamura, heirs of deceased inventor Seiji Nakamura							
Residence (City, State & Country)						CITIZENSHIP	
Chiba-ken 270-01, Japan						Japanese	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country) 1-8-205, Edogawadai Nishi, Nagareyama-shi, Chiba-ken 270-01, Japan							
GIVEN NAME		FAMILY NAME		INVENTOR'S SIGNATURE		DATE*	
Takashi		SAKURAI					
Residence (City, State & Country)						CITIZENSHIP	
Tokyo 113, Japan						Japanese	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country) 5-10-603, Hongo 4-chome, Bunkyo-ku, Tokyo 113, Japan							
GIVEN NAME		FAMILY NAME		INVENTOR'S SIGNATURE		DATE*	
Juni-ichi		NEZU					
Residence (City, State & Country)						CITIZENSHIP	
Tokyo 104, Japan						Japanese	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country) c/o Chugai Seiyaku Kabushiki Kaisha, 1-9, Kyobashi 2-chome, Chuo-ku, Tokyo 104, Japan							
GIVEN NAME		FAMILY NAME		INVENTOR'S SIGNATURE		DATE*	
Residence (City, State & Country)						CITIZENSHIP	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)							

PLEASE NOTE:  
 YOU MUST  
 COMPLETE THE  
 FOLLOWING:

PLEASE NOTE:  
YOU MUST  
COMPLETE THE  
FOLLOWING:

# COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT AND DESIGN APPLICATIONS

ATTORNEY DOCKET NO.

230-110P

Insert Title

As a below named inventor, I hereby declare that: my residence post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: \* GENE ENCODING ADSEVERIN

Check Box If  
Appropriate —  
For Use Without  
Specification  
Attached

the specification of which is attached hereto unless one of the following boxes is checked:

☐ The Specification was filed on \_\_\_\_\_ and was assigned  
Serial No. \_\_\_\_\_ and was amended on \_\_\_\_\_  
☒ was filed as PCT international application number PCT/JP94/02227 on  
Dec. 27, 1994 and was amended under PCT Article 19 on \_\_\_\_\_  
(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows:

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below:

Prior Foreign Application(s)	Priority Claimed
<u>355112/1993</u> (Number)	<u>Japan</u> (Country)
<u>160236/1994</u> (Number)	<u>Japan</u> (Country)
<u>340692/1994</u> (Number)	<u>Japan</u> (Country)
_____ (Number)	_____ (Country)
_____ (Number)	_____ (Country)

	12/28/1993 (Month/Day/Year Filed)	7/12/1994 (Month/Day/Year Filed)	12/20/1994 (Month/Day/Year Filed)		
	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> No
	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> No
	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> No

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More Than 12 Months (6 Months for Designs) Prior To The Filing Date of This Application:

Country	Application No.	Date of Filing (Month/Day/Year)
_____	_____	_____
_____	_____	_____

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status — patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status — patented, pending, abandoned)

I hereby request the following attorneys to prosecute this application and/or an international application based on this application and to transact all business in the Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the attorneys identified below, unless the inventor(s) or assignee provides said attorneys with a written notice to the contrary:

RAYMOND C. STEWART (Reg. No. 21,066)  
JOSEPH A. KOLASCH (Reg. No. 22,463)  
JAMES M. SLATTERY (Reg. No. 28,380)  
DONALD C. KOLASCH (Reg. No. 23,038)  
CHARLES GORENSTEIN (Reg. No. 29,271)  
LEONARD R. SVENSSON (Reg. No. 30,330)  
MARC S. WEINER (Reg. No. 32,181)

TERRELL C. BIRCH (Reg. No. 19,382)  
ANTHONY L. BIRCH (Reg. No. 26,122)  
BERNARD L. SWEENEY (Reg. No. 24,448)  
MICHAEL K. MUTTER (Reg. No. 29,680)  
GERALD M. MURPHY, JR. (Reg. No. 28,977)  
TERRY L. CLARK (Reg. No. 32,644)  
ANDREW D. MEIKLE (Reg. No. 32,868)

PLEASE NOTE:  
YOU MUST  
COMPLETE THE  
FOLLOWING:

Send Correspondence to: **BIRCH, STEWART, KOLASCH AND BIRCH**

P.O. Box 747

Falls Church, Virginia 22040-0747

Telephone: (703) 205-8000

Facsimile: (703) 205-8050

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First or Sole Inventor: Insert Name of Inventor Insert Date This Document is Signed Insert Residence Insert Citizenship	GIVEN NAME Noriko	FAMILY NAME NAKAMURA	INVENTOR'S SIGNATURE <i>Noriko Nakamura</i>	*DATE June 17, 1996
	RESIDENCE (City, State & Country) Chiba-ken 270-01 Japan		CITIZENSHIP Japanese	
	POST OFFICE ADDRESS (Complete Street Address including City, State & Country) 1-8-205, Edogawadai Nishi, Nagareyama-shi, Chiba-ken 270-01 Japan			
Full Name of Second Inventor, if any: see above	GIVEN NAME Takashi	FAMILY NAME SAKURAI	INVENTOR'S SIGNATURE <i>Takashi Sakurai</i>	*DATE June 17, 1996
	RESIDENCE (City, State & Country) Tokyo 113 Japan		CITIZENSHIP Japanese	
	POST OFFICE ADDRESS (Complete Street Address including City, State & Country) 5-10-603, Hongo 4-chome, Bunkyo-ku, Tokyo 113 Japan			
Full Name of Third Inventor, if any: see above	GIVEN NAME Juni-ichi	FAMILY NAME NEZU	INVENTOR'S SIGNATURE <i>Junichi Nezu</i>	*DATE June 17, 1996
	RESIDENCE (City, State & Country) Tokyo 104 Japan		CITIZENSHIP Japanese	
	POST OFFICE ADDRESS (Complete Street Address including City, State & Country) c/o Chugai Seiyaku kabushiki Kaisha of 1-9, Kyobashi 2-chome, Chuo-ku, Tokyo 104 Japan			
Full Name of Fourth Inventor, if any: see above	GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	*DATE
	RESIDENCE (City, State & Country)		CITIZENSHIP	
	POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			
Full Name of Fifth Inventor, if any: see above	GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	*DATE
	RESIDENCE (City, State & Country)		CITIZENSHIP	
	POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			

\*Note: Must be completed — date this document is signed.